

REMARKS

In accordance with the foregoing, claims 1, 12, 14 and 15 have been amended and claims 7 and 8 have been cancelled. No new matter has been entered. Therefore, claims 1-6 and 9-15 are pending and reconsideration is respectfully requested.

ENTRY OF AMENDMENT UNDER 37 C.F.R. §1.116:

Applicants request entry of this Rule 116 Response because rejected claims 7 and 8 have been canceled and because the amendments of claims 1, 12, 14 and 15 should not entail any further search by the Examiner since only subject matter similar to that which was already recited in claims 7 and 8 has been incorporated into these claims.

REJECTIONS UNDER 35 U.S.C. §102:

Claims 1-4 and 6-12 are rejected under 35 U.S.C. §102(e) as being anticipated by Takahashi et al. (U.S. Patent 6,653,018). These rejections are traversed.

Regarding the rejection of claim 1, applicants note that all of the previous arguments for patentability are reiterated. Further, applicants note that claim 1 as amended now recites that the thickness of the opening member in a direction perpendicular to the seal portion is less than a half of the width of the seal portion at which the opening member is disposed, and that the opening member is arranged under a half of the width of the seal portion at which the opening member is disposed. Applicants further note that Takahashi does not include a similar disclosure about the strip 23 of Takahashi. Therefore, Takahashi does not disclose the claimed invention.

Of course, applicants are aware that the Examiner has rejected the subject matter of former claims 7 and 8 which recited substantially similar features as amended claim 1. However, as will be discussed below, applicants assert that the rejections of the subject matter of former claims 7 and 8 were improper and that, therefore, claim 1, which now includes that subject matter, is allowable.

According to the Office Action, column 8, lines 14-40 of the reference to Takahashi discloses that the "thickness of the opening member in a direction perpendicular to the seal portion is less than half of the width of the seal portion at which the opening member is disposed." *See page 3 of the Office Action.* Applicants, however, note that this section of Takahashi is directed to a thickness of the thermal fusible resin layer of the envelope and to a structure of the layers of the envelope, as discussed in the first paragraph of column 8. The

cited sections, then, describe a thickness of the metal layer of the envelope, and a thickness of the heat resistant resin layer of the envelope. See *Takahashi*, column 8, lines 1-13. In fact, nothing in the cited sections relates to the width of the strip 23 of Takahashi or how the width of the strip 23 related to the width of a seal formed in Takahashi.

Furthermore, it is noted that none of the drawings in the reference illustrate the relationship between the widths of the opening member and the sealed portion of the claimed invention. Indeed, with reference to FIGs. 1A, 1B and 5-7, it appears clear that the claimed relationship would have no purpose in Takahashi. Thus, it is asserted that nothing in Takashi even implies such a relationship.

Therefore, applicants assert that the invention of claim 1 is patentably distinguished from Takahasi and that the rejection of claim 1 is overcome.

Regarding the rejection of claim 12, it is noted that claim 12 has been amended in a manner that is similar to the amendment of claim 1. Therefore, claim 12 is believed to be patentably distinguished from the reference for substantially similar reasons as set forth above. Thus, the rejection of claim 12 is also believed to be overcome.

Regarding the rejections of claims 2-4 and 6-11, it is noted that these claims depend from claim 1 and are therefore allowable for at least the reasons as set forth above.

REJECTIONS UNDER 35 U.S.C. §103:

Claims 5 and 13-15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Takahashi et al. These rejections are traversed.

Regarding the rejections of claims 14 and 15, it is noted that these claims have been amended in a manner that is similar to that of claim 1. Therefore, claims 14 and 15 are believed to be patentably distinguished from the reference for substantially similar reasons as set forth above. Thus, the rejections of claims 14 and 15 are also believed to be overcome.

Regarding the rejections of claims 5 and 13, it is noted that these claims are dependent from claims 1 and 12 and are therefore allowable for at least the reasons as set forth above.

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